

caused in the neighbourhood so as to occasion annoyance or discomfort to the owners or occupiers of houses in the vicinity.

36. No impediment or encroachment should be made on the footpath or road by placing thereon benches, table, soda-water bottle boxes or any other articles for the use of the shop-keeper or his customers.

37. He shall fix or cause to be fixed in a conspicuous place in such premises a board stating the purpose for which such premises is intended and the hours of its working.

38. He shall keep in such premises a book in which customers or Inspecting Officers may enter their remarks or note their complaints and such book shall be open to inspection by any inspecting Officer of the Health Department of the Corporation.

39. It shall be competent for the Commissioner, the Health Officer, any Health Inspector or other Officer of the Corporation authorised in writing in this behalf by the Commissioner to enter into any place used for any of the purposes specified in Bye-law No. 1, between 6 A.M. and 5 P.M. or at any other time while such place is kept open for business to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any provisions, any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination.

40. It shall be competent for the Commissioner, the Health Officer or any Health Inspector to remove or cause to be removed forthwith from such place any article of food or drink which, in their opinion, is stale, unwholesome or unfit for human consumption besides prosecuting the licensee for violating the bye-laws.

41. Whenever the Commissioner or the Health Officer is satisfied on personal inspection or on report of inspection, he may instead of recommending the prosecution of the licensee, issue to him in writing such directions as he may deem necessary for securing proper compliance with these bye-laws or in the interests of public health and the licensee shall forthwith comply with such directions.

42. The Commissioner may suspend or completely revoke any license granted under the Bye-law in respect of any place on grounds of public health or safety or where any of the conditions specified in the bye-laws are not being strictly observed: provided that such suspension or revocation of the license shall not be deemed to exempt the licensee or any other person from liability to prosecution under these bye-laws, and provided further that such suspension or revocation shall be made only after an opportunity is given to the licensee to show cause in the matter.

43. Where licences have been suspended or cancelled or refused, the Commissioner or any other person authorised by him may seize and detain articles of food or drink and vessels, utensils, etc., used for manufacturing preparing or keeping such articles of food or drink, and close down and lock the premises. Articles so seized may be destroyed or disposed of in any manner the Commissioner may deem fit.

44. Whoever commits a breach of any of the above bye-laws shall be punishable—

- (a) with fine which may extend to rupees fifty and in the case of a continuing breach with fine which may extend to fifteen rupees for every day during which the breach continues after conviction for the first breach, or
- (b) with fine which may extend to ten rupees for every day during which the breach continues after receipt of notice from the Commissioner to discontinue such breach.

SCHEDULE 'A'.

Form of Application for License.

1. Full name and address of applicant.....
2. Father's name.....
3. Age.....
4. Purpose for which license is required.....
5. The place in respect of which the license is required
 - (1) Division and
 - (2) Street

408 (3) Door No.

(4) Other particulars such as boundaries necessary for identifying the place.

6. The name and address of owner of such place.....
7. The rent of the place or the estimated rental value where the applicant is the owner of the premises.....
8. Period for which license is required.....

I declare that all information above is true to my knowledge and belief.

Bangalore.

Applicant.

Dated.....19 .

SCHEDULE 'B'.

Form of license issued under the Bye-laws of the City of Bangalore Municipal Corporation.

This license is granted to Sri/Janab..... (name and address, for the use of.....(insert description of place.....(as a Hotel) Restaurant, Eating House, Boarding or Lodging House, Coffee House, (retain the words indicating the purpose for which the license is granted and strike off the remaining words).

The license will expire on the.....

It is subject to the conditions set forth in the bye-laws and rules of the Corporation framed under the City of Bangalore Municipal Corporation Act.

Notification dated 15th February 1954.

No. A1. (18) 52-53. The following bye-laws framed by the City of Bangalore Municipal Corporation under sub-section (13) of Section 367 read with Section 369 of the City of Bangalore Municipal Corporation Act, 1949 (Act No. LXIX of 1949) for the regulation of hotels, lodging houses, boarding houses, choultries, rest houses, emigration depot or any premises to which the public are admitted for repose in the City of Bangalore, and sanctioned by the Government of Mysore under Section 370 of the said Act, in their Order No. 7635-39—C.M. 27-53-109, dated the 29th September 1953, are published for general information. The sanctioned bye-laws will come into force the 1st June 1954.

Bye-laws framed by the City of Bangalore Municipal Corporation under sub-section (13) of Section 367 read with Section 369 of the City of Bangalore Municipal Corporation Act, 1949 (Act No. LXIX of 1949) for the regulation of hotels, lodging houses, boarding houses, choultries, rest houses, emigration depots or any premises to which the public are admitted for repose.

1. No place within the municipal limits shall unless it has been duly licensed by the Commissioner be used by any person as a hotel, lodging house, boarding house, restaurant, choultry, rest-house, emigration depot or a place to which the public are admitted for repose or where they are received and provided with sleeping accommodation, with or without food on payment.

2. (1) Application for such licence shall—

- (a) be made to the Commissioner in such form as may be laid down by him from time to time at least one month before the premises are opened to the public; and
- (b) be accompanied by a plan in duplicate showing the dimensions and the purpose or purposes for which each room and place in the premises is proposed to be used.

2. The applicant shall also furnish such further or other particulars, as he may be required to do by the Health Officer or by the Commissioner.

3. (1) The Commissioner shall refuse to grant the licence if, in his opinion—

- (a) the premises are unsuitable for the purpose specified in the application, or
- (b) the applicant is not a suitable person to be in charge thereof.

(2) In cases not falling under clause (1) the Commissioner may grant a licence subject to such conditions and restrictions (to be specified in the licence) as he may think fit.

4. Every licence issued under these bye-laws shall expire at the end of the financial year for which it is granted unless for special reasons the Commissioner considers that it should expire at an earlier date.

5. Application for the renewal of a licence shall be made to the Commissioner not later than the 1st March of the year preceding that in respect of which the renewal is applied for and shall be in such form as may be laid down by the Commissioner from time to time.

6. Where a licence is granted, it shall specify the maximum number of persons allowed in respect of the premises as a whole. One copy of the plan submitted with the application shall be returned to the applicant together with the licence and there shall be marked on such copy the number of persons allowed for each room.

7. The Commissioner may, at any time after the grant of a licence, reduce the maximum number of lodgers specified therein if, in his opinion, the available space in the premises has, since such grant been reduced or if the sanitary conditions thereof have since deteriorated. Where any such reduction is effected, the fact of such reduction shall be communicated to the licensee or his agent or other person carrying on the business on behalf of the licensee and on receipt of such communication by the licensee, agent or other person the original licence shall be deemed to have been altered for the remaining period as if the reduced figures were substituted for the original figures. The licensee, agent or other person aforesaid shall produce the licence and the plan annexed thereto to the Commissioner or other officer of the Corporation appointed by the Commissioner in this behalf and the reduced figures shall be substituted in the place of the original figures in the licence.

8. The Commissioner may on application made by the licensee or his agent or other person carrying on the business on behalf of the licensee and on payment of the requisite fee, increase the maximum number of lodgers specified in the licence if in the opinion of the Commissioner the available space in the premises has, since the grant of the licence, been increased or if the sanitary conditions of the premises have since been improved. Where any such increase is sanctioned, the fact of such increase shall be communicated to the applicant who shall thereupon produce the original licence and the plan annexed thereto, to the Commissioner or other officer of the Corporation appointed by the Commissioner in this behalf and the figures shall then be substituted, in the place of the original figures in the licence.

9. The licensee shall not at any time receive or allow to be received into the licensed premises or into any room or part thereof a greater number of persons than the number specified in the licence and in the plan annexed thereto.

10. Premises used for any of the purposes mentioned in bye-law 1, shall be constructed of masonry or of such other durable materials as may be approved by the Commissioner and no part thereof shall be constructed of inflammable materials.

11. Every part of the flooring of the licensed premises shall be paved or otherwise made impervious and drained to the satisfaction of the Commissioner, and such flooring shall at all times be kept in good order and repair.

12. The licensee shall provide suitable means of ventilation and lighting upon or in connexion with such premises and shall cause the same to be maintained at all times in good order and efficient action.

13. He shall cause every drain or means of drainage upon or in connexion with such premises to be maintained at all times in good order and efficient action.

14. He shall, when such premises are intended for the use of both sexes, provide and maintain separate and suitable sleeping accommodation for the use of persons of either sex.

15. He shall provide in such premises latrines and water-closets in such position and of such description, size and number as the Commissioner may, from time to time, direct for the separate use of persons of each sex.

16. He shall cause the seat, floor and walls of every water-closet and latrine in such premises to be thoroughly cleansed from time to time and as often as may be necessary for the purpose of keeping such seat, floor and walls in a clean and wholesome condition.

17. He shall cause every part of the structure of every latrine and water-closet in such premises to be maintained at all times in good order and every part of the apparatus of such latrine or water-closet and every drain or means of drainage leading therefrom to be maintained at all times in good order and efficient action.

18. He shall—

(a) provide in such premises a sufficient and good supply of wholesome water, and

(b) cause such premises to be thoroughly swept, washed and cleansed at least once in every 24 hours at such hours as may from time to time be fixed by the Health Officer or Assistant Health Officer and shall prevent any accumulation of filth or refuse therein except in the covered receptacle referred to in bye-law 22.

19. He shall cause every window of every room in such premises which may be appointed for use and occupation as a sleeping apartment to be opened and to be kept fully open for one hour at least in the forenoon and one hour at least in the afternoon of every day except when the state of the weather is such as to render it necessary that the window should be closed or when any bed in such room may be occupied by any lodger in consequence of sickness or for other sufficient cause.

20. He shall provide the rooms, if any, used for the preparation of articles of food and drink with suitable smoke outlets and shall cause the same to be maintained at all times in good order and efficient action, and shall not at any time cause or suffer any room which may be appointed for use as a kitchen to be used or occupied as a sleeping apartment.

21. He shall provide in such premises suitable bathing places for the separate use of each sex using such premises.

22. He shall provide suitable air-tight, non-absorbent covered receptacles in suitable place in such premises for the deposit of all filth or refuse and shall cause all such receptacles to be emptied twice at least every day before the hour of 7 in the forenoon and 2 in the afternoon or at such other hours as may from time to time be fixed by the Health Officer or Assistant Health Officer and shall once at least in every day cause vessel, utensil or other receptacle for such filth or refuse to be thoroughly cleansed.

23. He shall cause every part of the internal surface of the walls and ceiling of every building in such premises to be hot lime-washed to the satisfaction of the Health Officer or the Assistant Health Officer twice at least in every year in the months of April and October or more often, if so required by the Health Officer or Assistant Health Officer.

24. He shall make no material structural alterations in the premises without the previous sanction of the Commissioner.

25. The licensee shall not at any time permit or suffer any room in such premises to be occupied by a larger number of persons than that specified in the licence or than that which is arrived at by calculating at the rate of a superficial area of not less than 40 square feet and cubic space of not less than 400 cubic feet per person. Two children under ten years of age shall be counted as one adult for the purpose of this bye-law.

26. He shall put up in each room in such premises a board notifying the dimensions thereof and the maximum number of persons permitted to lodge therein.

27. The licensee shall immediately on knowing that any person in such premises is suffering from any infectious contagious or dangerous disease, adopt such precautions as may be necessary to prevent the spread of infection.

28. He shall give or cause to be given immediate notice to the Health Officer, Assistant Health Officer or the Divisional Health Inspector, of the occurrence of such disease in such premises, or whenever any person has been removed therefrom in consequence of his suffering from such disease the address to which such patient is removed.

29. He shall not at any time, while such person is suffering from disease, cause or allow any other person

except the wife or husband or any other relative of such person, voluntarily in attendance on him, to use or occupy the same room as the patient.

30. Where the Health Officer or Assistant Health Officer orders the removal of such person to a hospital or other place for the reception and treatment of such persons, the licensee or the person in charge of such premises or having control thereof on being informed of such order, shall forthwith take all such steps as may be requisite on his part to secure the safe and prompt removal of such person with the order of the Health Officer or Assistant Health Officer and shall adopt all such precautions in accordance with any instructions which he may receive from the Health Officer, Assistant Health Officer or the Divisional Health Inspector as may be most suitable in the circumstances of the case.

31. Where in consequence of the illness of such person there may be reasonable grounds for apprehending the spread of infection through the admission of lodgers to any room or rooms in such premises or through the admission to such room or rooms of the maximum number of persons authorised to be received therein, the licensee after being furnished with the necessary instructions from the Health Officer or Assistant Health Officer and until the grounds for apprehending the spread of infection shall have been removed, shall cease to receive any person in such room or rooms, or shall receive therein such number of persons being less than the maximum number as the exigencies of the case may require.

32. The licensee shall immediately after the death, removal or recovery of any person who may have been ill of any infectious, contagious or dangerous disease give written notice to the Health Officer, Assistant Health Officer or the Divisional Health Inspector, and shall as soon as possible, cause every part of the room which may have been occupied by such person to be thoroughly and cleaned and shall also cause every article in such room which may be liable to retain infection to be in like manner disinfected and cleaned unless the Health Officer or the Assistant Health Officer shall have ordered the same to be destroyed.

33. He shall comply with all the instructions of the Health Officer or Assistant Health Officer as to the proper cleansing and disinfecting of the room and articles therein.

34. When the same shall have been thoroughly disinfected and cleansed in accordance with such instructions, he shall give written notice thereof to the Health Officer, Assistant Health Officer or the Divisional Health Inspector and unless and until by such cleansing and disinfection the necessary precautions for preventing the spread of disease shall have been duly taken and unless and until permitted by the Health Officer, the licensee shall not cause or suffer any person to be received into such room.

35. He shall give or cause to be given notice to the Health Officer or Assistant Health Officer, the Health Inspector on the occurrence of any birth, death or dangerous accidents in such premises.

36. He shall put up a signboard in English, Tamil, Kannada and Hindustani at the main entrance to the premises showing the purpose for which the premises are intended or used and indicating the number of the licence granted in respect thereof and also whether it is licensed for the reception of female visitors or lodgers.

37. He shall put up in a conspicuous place in such premises a copy of these bye-laws and of any others relating to the regulation and control of such premises and shall not at any time conceal, deface, alter, obliterate or destroy any portion of the contents of such bye-laws.

38. He shall keep in such premises a book in which lodgers may enter their remarks or note their complaints and such book shall be open to inspection by any officer of the Corporation.

39. No leper and no person suffering from an open sore or any loathsome, infectious or contagious disease shall—

- (a) be received or allowed to be received in the premises or any portion thereof, or
- (b) be permitted to enter or occupy the premises or any portion therein, or
- (c) be employed in the business or assist in carrying on the same.

40. The licensee shall, when so required by the Health Officer, or Assistant Health Officer, cause any employee

engaged in such premises to be examined and a certificate to be produced of being free from disease or infection of any kind and fit to carry on or assist in the business. The certificate shall be given free of charge by the Corporation Medical Officers.

41. No cattle shall be kept or allowed to be kept within the licensed premises.

42. No person shall spit in or upon such premises except in such receptacles or places as are provided for such purpose.

43. The licensee shall—

- (a) reside in the premises or keep an agent approved by the Commissioner resident therein;
- (b) at all times of the day or night when required by the Commissioner, Health Officer, Assistant Health Officer, or by any person authorised in writing by the Commissioner in this behalf, give free access to the premises and suffer inspection of the same or any part thereof and carry out within a reasonable time any written directions given by the inspecting officers of the Corporation; and
- (c) maintain a register showing therein the number and names of visitors or lodgers, the rooms occupied, the period of occupation, the charges recovered from them, the full address of the place of destination and such other information as may from time to time be specified by the Commissioner.

44. The Commissioner may, if he considers, such action necessary, revoke suspend or cancel a licence on grounds of public health and safety or if any one or more of the conditions or restrictions of the licence or of any provision contained in these bye-laws are infringed, irrespective of whether the offender has been prosecuted and convicted or not.

45. Whoever commits a breach of any of the bye-laws 1 and 9 to 43, shall be punishable—

- (a) with fine which may extend to fifty rupees and in case of a continuing breach with fine which may extend to fifteen rupees for every day during which the breach continues after conviction for the first breach, or
- (b) with fine which may extend to ten rupees for every day during which the breach continues after receipt of notice from the Commissioner to discontinue such breach.

8260

Notification dated 11th February 1954.

No. A.1. (23)—52-53. The following bye-laws framed by the City of Bangalore Municipal Corporation under clause (d) of sub-section (10) and sub-section (11) of Section 367 read with Section 369 of the City of Bangalore Municipal Corporation Act, 1949 (Act No. LXIX of 1949), (1) for the protection of avenues, trees, grass and other appurtenances of public streets and other places, and (2) for the regulation of the use of parks, gardens and other public or municipal places in the City of Bangalore and sanctioned by the Government of Mysore under Section 370 of the said Act, in their Order No. L. 5206-9—C.M. 27-53-74, dated the 28th July 1953, are published for general information. The sanctioned bye-laws will come into effect from the 1st June 1954.

Bye-laws under Section 367 (10) (d) read with Section 369 of the City of Bangalore Municipal Corporation Act, for the protection of avenues, trees, grass and other appurtenances of public streets and other places.

1. No person shall, without the written permission of the Commissioner, damage or cut any tree, grass or other appurtenance of any public street, or other public or municipal place.

2. No person shall, without the written permission of the Commissioner, remove any fruit from any tree in any public street or other public or municipal place.

3. No person shall graze or feed any animal, or suffer any animal to be grazed or fed, on any grass or tree in any public street or other public or municipal place.